

NOTICE OF PUBLICATION BAN

In the matter of College of Early Childhood Educators and Sarah Catherine Kowlessar (nee Fisher) this is notice that the Discipline Committee ordered that no person shall publish or broadcast the identity of, or any information that could identify, any person who is under 18 years old and is a witness in the hearing, or the subject of evidence in the hearing or under subsection 35.1(3) of the *Early Childhood Educators Act, 2007*.

**DISCIPLINE COMMITTEE
OF THE COLLEGE OF EARLY CHILDHOOD EDUCATORS**

PANEL: Richard Filion, Chairperson
Tricia Doyle, RECE
Mark Francisco, RECE

BETWEEN:)	
)	
COLLEGE OF EARLY)	Vered Beylin
CHILDHOOD EDUCATORS)	For the College of Early Childhood Educators
)	
and)	
)	
SARAH CATHERINE KOWLESSAR (NEE)	Jordan Stone, Glick Law
FISHER))	For the Member
REGISTRATION # 48736)	
)	
)	
)	Elyse Sunshine,
)	Rosen Sunshine LLP
)	Independent Legal Counsel
)	
)	Heard: July 27, 2022

DECISION AND REASONS

This matter was heard by a panel of the Discipline Committee (the “Panel”) of the College of Early Childhood Educators (the “College”) on July 27, 2022. The hearing proceeded electronically (by videoconference) pursuant to the *Early Childhood Educators Act, 2007* (the “Act”), *the Hearings in Tribunal Proceedings (Temporary Measures) Act, 2020* and the College’s Rules of Procedure of the Discipline Committee and of the Fitness to Practise Committee.

At the outset, the Panel noted that the hearing was being recorded in the Zoom platform at the direction of the Panel for the hearing record, and ordered that no person shall make any audio or video recording of these proceedings by any other means.

PUBLICATION BAN

The Panel ordered a publication ban following a motion by College Counsel, on consent of the Member, pursuant to section 35.1(3) of the Act. The order bans the public disclosure, publication and broadcasting outside of the hearing room, any names or identifying information of any minor children who may be the subject of evidence in the hearing.

THE ALLEGATIONS

The allegations against the Member were contained in the Notice of Hearing dated July 18, 2022, (Exhibit 1) which provided as follows:

1. At all material times, Sarah Catherine Kowlessar (nee Fisher) (the “Member”) was a member of the College and was employed as an Early Childhood Educator (“ECE”) at Kennedy Road North YMCA (the “Centre”) in Brampton, Ontario.
2. On or about May 4, 2017, the Member was responsible for supervising a group of preschool aged children, including a 3½ year old boy (the “Child”). The Member became frustrated with the Child when he did not assist in cleaning up the room as instructed by her. The Member grabbed the Child by the arm, brought him over to the couch, sat him down and forcefully held

the Child, to prevent him from turning away from her. The Child was crying and fighting to pull his hands away from the Member, but she forcefully grabbed him by the wrist.

3. As a result of the Member's conduct, the Child suffered deep bruising around his right wrist, in the location he was held by the Member.
4. By engaging in the conduct set out in paragraphs 2 – 3 above, the Member engaged in professional misconduct as defined in subsection 33(2) of the Act in that:
 - a) she physically abused a child who was under her professional supervision, contrary to Ontario Regulation 223/08, subsection 2(3.1);
 - b) she psychologically or emotionally abused a child who was under her professional supervision, contrary to Ontario Regulation 223/08, subsection 2(3.2);
 - c) she failed to maintain the standards of the profession, contrary to Ontario Regulation 223/08, subsection 2(8), in that:
 - i. she failed to provide a nurturing learning environment where children thrive, contrary to Standard I.D of the Standards of Practice;
 - ii. she failed to establish professional and caring relationships with children and/or to respond appropriately to the needs of children, contrary to Standard I.E of the Standards of Practice;
 - iii. she failed to maintain a safe and healthy learning environment, contrary to Standard III.A.1 of the Standards of Practice;
 - iv. she failed to support children in developmentally sensitive ways and to provide caring, stimulating, and respectful opportunities for learning and care that are welcoming to children and their families, contrary to Standard III.C.1;
 - v. she failed to know, understand and abide by the legislation, policies and procedures that are relevant to their professional practice and to the care and learning of children under her professional supervision, contrary to Standard IV.A.2 of the Standards of Practice;

- vi. she failed to make decisions, resolve challenges and/or provide behaviour guidance in the best interests of the children under her professional supervision, contrary to Standard IV.B.4 of the Standards of Practice; and
 - vii. she conducted herself in a manner that could reasonably be perceived as reflecting negatively on the profession of early childhood education, contrary to Standard IV.E.2 of the Standards of Practice.
- d) she acted or failed to act in a manner that, having regard to the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional, contrary to Ontario Regulation 223/08, subsection 2(10); and
- e) she conducted herself in a manner that is unbecoming of a member, contrary to Ontario Regulation 223/08, subsection 2(22).

EVIDENCE

Counsel for the College and the Member advised the Panel that agreement had been reached on the facts and introduced an Agreed Statement of Facts (Exhibit 2), which provided as follows:

The Member

1. The Member has held a certificate of registration with the College since 2014. She is in good standing with the College and does not have a prior discipline history with the College.
2. At all material times, the Member was employed as a Registered Early Childhood Educator (“RECE”) at the Centre.

The Incident

3. On May 4, 2017, the Member was responsible for supervising a group of preschool-aged children, including the Child. Towards the end of the day, the Member asked the children to help her tidy up the classroom, but the Child continued playing with toys. The Member repeatedly told the Child to clean up, and he became upset. The Member then held the Child

by his hand and began walking with him towards another area of the room. The Child was crying and upset.

4. The Child did not want the Member to hold his hand and resisted by pulling his hand away from the Member. In response, the Member grabbed the Child by his right wrist. The Child continued crying while the Member held his wrist as they walked a short distance together. If the Member were to testify, she would advise that she grabbed the Child's wrist "as a jerk reaction" to him pulling his hand away and that she had no intention of harming him.
5. The Member then sat by the Child and spoke with him about the importance of listening to her. The Child stopped crying during the conversation and then joined the rest of the children.
6. As a result of the Member's conduct, the Child sustained bruising around his right wrist, in the location he was held by the Member.

Additional Information

7. The Child's mother observed the bruising on the Child's wrist after the Child came back home. She reported it to the Centre's management the following day.
8. The incident was reported to the Children's Aid Society ("CAS"). CAS investigated the incident and verified that the Member used excessive physical force causing harm to the Child.
9. The incident was also investigated by the Police. After interviewing the Member and the Child, Police did not lay criminal charges, as they concluded that the Member had no intent to harm the Child and that "it appeared accidental".
10. The Centre's Behaviour Guidance Policy, in effect at the time of the incident, required staff to "allow children personal space" and to allow a child who "demonstrates the need for personal time to 'cool off'" the opportunity to do so.
11. As a result of the incident, the Member was terminated from her position as an RECE at the Centre.
12. Following the incident, the Member undertook extensive professional development to improve and enhance her practice. Among other things, she attended over 20 hours of instruction relevant to positive behaviour guidance strategies.

Admissions of Professional Misconduct

13. The Member admits that she engaged in and is guilty of professional misconduct as described in paragraphs 3 – 6 above, and as defined in subsection 33(2) of the Act, in that:
- a. she physically abused a child who was under her professional supervision, contrary to Ontario Regulation 223/08, subsection 2(3.1);
 - b. she psychologically or emotionally abused a child who was under her professional supervision, contrary to Ontario Regulation 223/08, subsection 2(3.2);
 - c. she failed to maintain the standards of the profession, contrary to Ontario Regulation 223/08, subsection 2(8), in that:
 - i. she failed to provide a nurturing learning environment where children thrive, contrary to Standard I.D of the Standards of Practice;
 - ii. she failed to establish professional and caring relationships with children and/or to respond appropriately to the needs of children, contrary to Standard I.E of the Standards of Practice;
 - iii. she failed to maintain a safe and healthy learning environment, contrary to Standard III.A.1 of the Standards of Practice;
 - iv. she failed to support children in developmentally sensitive ways and to provide caring, stimulating, and respectful opportunities for learning and care that are welcoming to children and their families, contrary to Standard III.C.1;
 - v. she failed to know, understand and abide by the legislation, policies and procedures that are relevant to their professional practice and to the care and learning of children under her professional supervision, contrary to Standard IV.A.2 of the Standards of Practice;
 - vi. she failed to make decisions, resolve challenges and/or provide behaviour guidance in the best interests of the children under her professional supervision, contrary to Standard IV.B.4 of the Standards of Practice; and

- vii. she conducted herself in a manner that could reasonably be perceived as reflecting negatively on the profession of early childhood education, contrary to Standard IV.E.2 of the Standards of Practice.
- d. she acted or failed to act in a manner that, having regard to the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional, contrary to Ontario Regulation 223/08, subsection 2(10); and
- e. she conducted herself in a manner that is unbecoming of a member, contrary to Ontario Regulation 223/08, subsection 2(22).

THE MEMBER'S PLEA

The Member admitted to the allegations in the Agreed Statement of Facts.

The Panel received a written plea inquiry (Exhibit 3) which was signed by the Member. The Member's counsel confirmed that the Member had signed the written plea inquiry and that she was pleading guilty to the allegations as admitted to in the Agreed Statement of Facts.

SUBMISSIONS OF THE PARTIES ON LIABILITY

The College submitted that the Standards of Practise that are referred to in paragraph 4(c)(i) through (vii) in the Notice of Hearing and paragraph 13(c)(i) through (vii) in the Agreed Statement of Facts were in effect prior to the revised Standards that came into effect in July 2017 as this incident took place in May 2017.

The College submitted that the facts in the Agreed Statement of Facts are what the Panel should rely on to make a finding of misconduct, and only those facts. Those facts establish that the Member engaged in physically abusive conduct towards a young child by continuing to hold him by the wrist despite his resistance and attempts to pull his hand away. The College submitted that although there was no malicious intent to harm the Child, and despite the fact that the incident was brief and unintentional, the force with which the Member used to grab and restrain the Child was excessive and caused bruising to the Child's wrist. The Member's insistence on holding him despite his crying and trying to pull away showed a disregard for his emotional well-being. The Member's failure to

allow him space to calm down was emotional abuse and a failure to maintain the Standards. This violated the Centre's policies and the general training and expectations of an RECE. The Member's conduct could reasonably be perceived to negatively reflect on the profession as a whole. The College submitted that causing bruising to a child erodes the public's trust in the profession. The College submitted that the Member's conduct was unprofessional and clearly unbecoming.

The Member, through her counsel, submitted that the facts agreed to by the parties in the Agreed Statement of Facts and the written plea inquiry, provided the Panel with sufficient evidence to make a finding of misconduct as outlined in paragraph 13 of the Agreed Statement of Facts. The Member's counsel further submitted that the only facts on which the Panel should base its finding are those in the Agreed Statement of Facts.

FINDINGS AND REASONS FOR DECISION

Having regard to the facts set out in the Agreed Statement of Facts, the Panel accepted the Member's admission and found her guilty of professional misconduct as alleged in the Notice of Hearing and admitted to in the Agreed Statement of Facts.

The Panel found that the Member physically abused a child under her supervision when she forcefully grabbed the Child by the wrist and moved him by the wrist to another area.

The Member asked the Child to tidy up and the Child refused. The Member held the Child by the hand to go to another area. The Child pulled away and the Member grabbed the Child's wrist as a "jerk reaction." The Member continued to hold the Child despite the Child's resistance and attempts to pull away. In doing this, the Member used force that was excessive enough to cause bruising to the Child's wrist. This was in contravention of the Centre's policy, including to provide the Child with personal space to calm down. This showed a disregard for the Child's emotional well-being, was emotionally abusive and showed a failure to understand and abide by the legislation.

The Member disregarded the best interests of the Child when the Member grabbed his wrist with enough force to cause bruising. The Child was crying and emotionally upset and the Member, rather than having a positive interaction with the Child, used excessive physical force and moved him by the wrist. The Panel found this conduct to be unprofessional and unbecoming. This was a breach of the standards to maintain a safe and healthy environment and to use positive behaviour

guidance in the Child's best interest. The fact that the CAS verified that the Member used excessive physical force that caused harm to the Child was compelling evidence for the Panel. Harming the Child was a failure to uphold the Standards in that it was a failure to know and abide by the legislation and was a violation of the Centre's policy and a failure to maintain a caring, healthy and safe environment.

In engaging in a power struggle with the Child, the Member's conduct was insensitive. The Member did not use age or developmentally appropriate behavior guidance techniques. The Incident reflects negatively on the Member and potentially the membership as a whole and could erode the public's confidence in the profession. It was unprofessional and conduct unbecoming a member.

POSITION OF THE PARTIES ON PENALTY

Counsel for the College and Counsel for the Member made a joint submission as to an appropriate penalty and costs order (the "Proposed Order"). The parties submitted that the Panel should make an order as follows:

1. Requiring the Member to appear before a Panel of the Discipline Committee to be reprimanded immediately following the hearing of this matter.
2. Directing the Registrar to suspend the Member's certificate of registration for a period of 6 months. The suspension will take effect from the date of this Order and will run without interruption as long as the College has not otherwise prohibited the Member from practising or suspended the Member for any other reason.
3. Directing the Registrar to impose the following terms, conditions and limitations on the Member's certificate of registration:

Mentorship

- a. Prior to the Member commencing or resuming employment as an RECE or engaging in the practice of early childhood education, as defined in section 2 of Act, the Member, at her own expense, will arrange a mentoring relationship with a Mentor, who:

- i. is an RECE in good standing with the College,
- ii. is employed in a supervisory position,
- iii. has never been found guilty of professional misconduct and/or incompetence by the Discipline Committee of the College,
- iv. is not currently found to be incapacitated by the Fitness to Practise Committee of the College,
- v. is not currently the subject of allegations referred to the Discipline Committee or the Fitness to Practise Committee of the College, and
- vi. is pre-approved by the Director of Professional Regulation (the "Director"). In order to pre-approve the Mentor, the Member will provide the Director with all requested information, including (but not limited to) the name, registration number, telephone number, address and résumé of the Mentor.

For clarity, once the suspension in section 2 above ends, the Member can commence or resume employment as an RECE after arranging a mentorship relationship with a pre-approved Mentor.

- b. Within 14 days of commencing or resuming employment as an RECE, the Member will ensure that the Director is notified of the name, address and telephone number of all employers.
- c. The Member will provide the Mentor with a copy of the following documents within 14 days of being notified that the Mentor has been approved by the Director, or within 14 days after the release of such documents, whichever is earliest:
 - i. the Panel's Order,
 - ii. the Agreed Statement of Facts,
 - iii. the Joint Submission on Penalty and Costs, and
 - iv. the Panel's Decision and Reasons.

- d. The Member will meet with the Mentor at least every 2 weeks after the Mentor has been approved by the Director to discuss the following subjects:
 - i. review of the College's Code of Ethics and Standards of Practice,
 - ii. the acts or omissions by the Member, which resulted in the Discipline Committee finding the Member guilty of professional misconduct,
 - iii. the potential consequences of the misconduct to the parents/children affected, and to the Member's colleagues, profession and self,
 - iv. strategies for preventing the misconduct from recurring, and
 - v. the Member's daily practice and any issues that arise, to ensure that she is meeting the College's Standards of Practice (without disclosing personal or identifying information about any of the children under the Member's care, or clients of her employer(s)).
- e. After a minimum of 5 sessions, the Member can seek the Director's permission to stop participating in the mentorship sessions by providing the Director with a report by the Mentor that sets out the following:
 - i. the dates the Member attended the sessions with the Mentor,
 - ii. that the Mentor received a copy of the documents referred to in paragraph 3(c),
 - iii. that the Mentor reviewed the documents set out in paragraph 3(c) and discussed the subjects set out in paragraph 3(d) with the Member, and
 - iv. the Mentor's assessment of the Member's insight into her behaviour.
- f. All documents delivered by the Member to the College or the Mentor will be delivered by email, registered mail or courier, and the Member will retain proof of delivery.
- g. The College may require proof of compliance with any of the terms in this Order at any time.

4. Requiring the Member to pay the College's costs fixed in the amount of \$1,000.00, within 30 days of the date of this Order.

Submissions of the College on Penalty and Costs

College counsel reviewed the Proposed Order and advised that the parties agreed to amend paragraph one to provide for the Member to be reprimanded within 60 days of the hearing to accommodate the Member's inability to attend on the day of the hearing.

Counsel for the College submitted any penalty order that the Discipline Committee makes must first and foremost protect the young and vulnerable children whose safety and well being are entrusted to RECEs. The penalty the Panel imposes must send a message to the Member, the membership as a whole and the public, that the abuse of a child is unacceptable and will not be tolerated. It must deter the Member from repeating the misconduct and it must deter other RECEs from engaging in similar misconduct. The penalty should instill confidence in the College's ability to regulate its members. The penalty must also ensure the Member's rehabilitation and remediation for when the Member returns to practise. It must protect the public. The College also submitted that the penalty should be consistent with the range of penalties imposed on other members in similar and comparable cases while taking into consideration the specific aggravating and mitigating factors of this case.

The College submitted that the aggravating factors in this case included:

1. The young age of the Child;
2. The excessive force the Member used while engaging in a needless power struggle with the Child as he resisted being held by the Member;
3. The Member's conduct had a negative emotional impact on the Child as shown by his crying, and since the conduct occurred in the presence of other children, it potentially impacted the sense of security and belonging of the other children who witnessed the conduct;
4. The Member failed to adhere to professional obligations and procedures that would have prevented the incident.

The mitigating factors included:

1. The Member engaged in extensive professional development on her own initiative following the incident and before the matter was referred to the College's Discipline Committee;

2. The Member pleaded guilty and avoided a contested hearing which saved time and resources, and saved the Child from being called to testify;
3. The Member has been registered for 8 years with no prior discipline history.

Two additional considerations the College submitted the Panel should consider were that the event was brief and did not occur over a prolonged time period and it was a single incident and not a pattern of behaviour.

The College provided the Panel with two similar cases of physical abuse where a six month suspension was imposed:

1. *College of Early Childhood Educators vs Jill Wendy Walsh*, 2020 ONCECE 11
2. *College of Early Childhood Educators v Kelly Anne Eusebio*, 2019 ONCECE 6.

The College submitted that the Proposed Order was appropriate given the circumstances of this case and did not bring the administration of justice into disrepute.

The College submitted that the costs were appropriate as they would reimburse the College for a small portion of the costs of investigating and prosecuting this matter and have been agreed to by the parties.

Submissions of the Member on Penalty and Costs

The Member's counsel submitted that the Member agreed to amend paragraph 1 of the Joint Submission on Penalty to allow for the Member to be reprimanded within 60 days of the hearing. The Member's counsel advised that the Member had intended to be present when the Joint Submission was prepared and signed but circumstances prevented her from attending the hearing.

The Member's counsel submitted that he agreed with the College that there were a lot of mitigating factors, and it was noteworthy that the Member took coursework on her own initiative and that this is indicative that the Member is going to work hard to improve going forward. The Member's counsel clarified that the Child was crying before the Member grabbed the Child's wrist, but this was a minor point. The Member's counsel also pointed out that the physical abuse in the two cases provided were more deliberate and there was yelling and attempts to cover up the incident in the *Walsh* case. In the *Eusebio* case the police cautioned Ms. Eusebio. These were distinguishing factors indicating that the cases presented were more serious and as such the Panel could be assured that the

Proposed Penalty in this case was not too lenient. The Member's counsel submitted that the public will not be given the impression that the Discipline Committee has lost its ability to regulate the profession if the Proposed Order is imposed, and the suspension of six months is within the appropriate range and no mistake or error would be made by imposing it.

PENALTY DECISION

The Panel accepted the joint submission on penalty and makes the following order as to penalty:

1. The Member is required to appear before a Panel to be reprimanded within 60 days of the date of this Order.
2. The Registrar is directed to suspend the Member's certificate of registration for a period of 6 months. The suspension will take effect from the date of this Order and will run without interruption as long as the College has not otherwise prohibited the Member from practising or suspended the Member for any other reason.
3. Directing the Registrar to impose the following terms, conditions and limitations on the Member's certificate of registration:

Mentorship

- a. Prior to the Member commencing or resuming employment as an RECE or engaging in the practice of early childhood education, as defined in section 2 of the Act, the Member, at her own expense, will arrange a mentoring relationship with a Mentor, who:
 - i. is an RECE in good standing with the College,
 - ii. is employed in a supervisory position,
 - iii. has never been found guilty of professional misconduct and/or incompetence by the Discipline Committee of the College,
 - iv. is not currently found to be incapacitated by the Fitness to Practise Committee of the College,

- v. is not currently the subject of allegations referred to the Discipline Committee or the Fitness to Practise Committee of the College, and
- vi. is pre-approved by the Director. In order to pre-approve the Mentor, the Member will provide the Director with all requested information, including (but not limited to) the name, registration number, telephone number, address and résumé of the Mentor.

For clarity, once the suspension in section 2 above ends, the Member can commence or resume employment as an RECE after arranging a mentorship relationship with a pre-approved Mentor.

- b. Within 14 days of commencing or resuming employment as an RECE, the Member will ensure that the Director is notified of the name, address and telephone number of all employers.
- c. The Member will provide the Mentor with a copy of the following documents within 14 days of being notified that the Mentor has been approved by the Director, or within 14 days after the release of such documents, whichever is earliest:
 - i. the Panel's Order,
 - ii. the Agreed Statement of Facts,
 - iii. the Joint Submission on Penalty and Costs, and
 - iv. the Panel's Decision and Reasons.
- d. The Member will meet with the Mentor at least every 2 weeks after the Mentor has been approved by the Director to discuss the following subjects:
 - i. review of the College's Code of Ethics and Standards of Practice,
 - ii. the acts or omissions by the Member, which resulted in the Discipline Committee finding the Member guilty of professional misconduct,
 - iii. the potential consequences of the misconduct to the parents/children affected, and to the Member's colleagues, profession and self,

- iv. strategies for preventing the misconduct from recurring, and
 - v. the Member's daily practice and any issues that arise, to ensure that she is meeting the College's Standards of Practice (without disclosing personal or identifying information about any of the children under the Member's care, or clients of her employer(s)).
- e. After a minimum of 5 sessions, the Member can seek the Director's permission to stop participating in the mentorship sessions by providing the Director with a report by the Mentor that sets out the following:
- i. the dates the Member attended the sessions with the Mentor,
 - ii. that the Mentor received a copy of the documents referred to in paragraph 3(c),
 - iii. that the Mentor reviewed the documents set out in paragraph 3(c) and discussed the subjects set out in paragraph 3(d) with the Member, and
 - iv. the Mentor's assessment of the Member's insight into her behaviour.
- f. All documents delivered by the Member to the College or the Mentor will be delivered by email, registered mail or courier, and the Member will retain proof of delivery.
- g. The College may require proof of compliance with any of the terms in this Order at any time.

REASONS FOR PENALTY

The Panel finds that the proposed penalty appropriately balances the facts of this case. The Panel acknowledged that the Child was young, vulnerable and in need of protection against the use of excessive force. The Panel also notes that the force was unintentional and "appeared accidental", as noted by the police when they decided not to lay criminal charges. The Member was terminated from her position with the Centre and she has already shown insight into her misconduct by taking it upon herself to improve her practise through coursework. She has also taken responsibility for

her misconduct by agreeing with the College about what her penalty should be and this bodes well for her rehabilitation and return to practise following her suspension.

The Panel understands that the penalty ordered should protect the public interest and enhance public confidence in the ability of the College to regulate registered early childhood educators. This is achieved through a penalty that addresses specific deterrence, general deterrence and, where appropriate, rehabilitation and remediation. The penalty should be proportionate to the misconduct.

In considering the joint submission, the Panel was mindful that a jointly proposed penalty should be accepted unless its acceptance would bring the administration of justice into disrepute, or it is otherwise not in the public interest. It is the Panel's conclusion that the Proposed Order satisfies the principle of public protection and will not erode the public's confidence in the College's ability to effectively govern its members.

The reprimand and suspension send a message to the Member, the membership as a whole and the public, that the physical and emotional abuse of a Child, no matter how brief or unintentional, will not be tolerated. This will send a message to the Member and the whole membership, that the standards of the profession must be adhered to, including the professional obligation to maintain a safe, healthy and nurturing learning environment, in which RECEs respond appropriately and in developmentally sensitive ways to the needs of the children in their care. It indicates to all, that members of this College must know and abide by the legislation, policies and procedures that are relevant to their professional practice and to the care and learning of children under their supervision.

The six month suspension is in keeping with other similar cases where children were physically and emotionally or psychologically abused. The Panel felt that it is neither too lenient nor too harsh, and is appropriate in the circumstances of this case.

The mentoring will ensure that the Member is supported when she returns to practise by providing her with an opportunity to gain additional insight into her misconduct by discussing its impact on parents and children. The mentoring relationship will allow the Member time to discuss with an experienced RECE, ways to improve her practise, to maintain the College's Standards of Practise and to prevent future misconduct.

ORDER AS TO COSTS

Subsection 33(5)(4) of the Act provides that in an appropriate case, a panel may make an order requiring a member who the panel finds has committed an act of professional misconduct to pay all or part of the College's legal costs and expenses, investigation costs and hearing costs.

The parties are in agreement with respect to costs and the amount of costs to be ordered. The Panel agrees that this is an appropriate case for costs to be awarded and the amount proposed by the parties is reasonable.

The Panel orders that the Member pay the College its costs, fixed in the amount of \$1,000 to be paid within 30 days of the date of the Order.

I, Richard Fillion, sign this decision and reasons for the decision as Chairperson of this Discipline panel and on behalf of the members of the Discipline panel.

Richard Fillion D.D.S.
Richard Fillion, Chairperson

August 4, 2022
Date